



PATENT
Customer No. 22,852
Attorney Docket No. 07781.0013-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Stefan HACK et al.) Group Art Unit: 2163
Serial No.: 09/987,356) Examiner: Unassigned
Filed: November 14, 2001)
For: VALUE CHAIN OPTIMIZATION)
SYSTEM AND METHOD)

Assistant Commissioner for Patents
Washington, DC 20231

Attention: **BOX MISSING PARTS**

Sir:

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

This is in reply to the Notice to File Missing Parts of Non-Provisional Application ("Notice") of November 28, 2001, the period for response to which extends through January 28, 2002. The Notice states that an inventor signature is missing from the Declaration and that the drawings are noncompliant. In response, Applicants enclose another set of formal drawings which are in compliance with 37 C.F.R. §1.84. However, Applicants request the withdrawal of the Notice with regard to the inventor's signature because all parts of the application were filed. A copy of the Notice is attached.

According to the Notice, the signature of Michael Augsburg was allegedly missing from the Oath or Declaration. This is incorrect. On November 14, 2001, Applicants' representative filed two Declarations with the above-captioned application,

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

09987356-01000

2009-01-09 09:28:00

totaling four pages. Applicants' representative files a Declaration herewith (attached as exhibit A) avowing to this fact. The first two-page declaration (copy attached as exhibit B) was signed by inventors Stefan Hack and Miho Birimisa. The second two-page Declaration (copy attached as exhibit C) was signed by Michael Augsburg. The U.S. Patent and Trademark Office (PTO) acknowledged receipt of the two signed Declarations by stamping the accompanying postcard (copy attached as exhibit D) that lists "Declaration and Power of Attorney. (4 pages)." The PTO apparently overlooked Michael Augsburg's signed Declaration and sent the Notice in error. Accordingly, Applicants believe that no fee is due with this reply.

Nevertheless, should the PTO disagree, we authorize our deposit account 06-0916 to be charged the \$130.00 surcharge fee.

According to the Notice, the drawing sheets did not have appropriate margins. Applicants disagree. Nonetheless, Applicants submit herewith new formal drawings with margins exceeding those specified by 37 C.F.R. 1.84(g).

Please grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

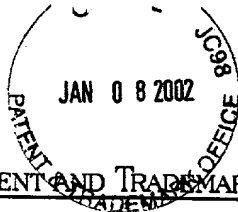
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 8, 2002

By: William J. Brogan
William J. Brogan
Reg. No. 43,515

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/987,356	11/14/2001	Stefan Hack	07781.0013-01

CONFIRMATION NO. 6942

FORMALITIES LETTER



OC00000007131589

Finnegan, Henderson, Farabow
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

Date Mailed: 11/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Michael Augsburger
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

Adjustment date: 01/18/2002 TVD111
01/11/2002 ANABI1 00000089 060916 09987356
01 FC:105 130.00 CR

A copy of this notice MUST be returned with the reply.

01/11/2002 ANABI1 00000089 060916 09987356

01 FC:105 130.00 CR

Worked 12-3-01 Attorney *FRANKLIN*
Case 77810013-01
Due Date 1-28-02
Action DECLINING & DROPPING
By 13

09987356-010802

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

208010-99E/8660



EXHIBIT A

09987356-01002
2002-01-08



ERY/WJB

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re New Continuation-in-Part U.S. Application of: Stefan HACK et al.

Serial No.: UNASSIGNED

Group Art Unit: UNASSIGNED

Filed: HEREWITH

Examiner: UNASSIGNED

For: VALUE CHAIN OPTIMIZATION SYSTEM AND METHOD

1. Continuation-in-Part U.S. Patent Application. (39 pages)
2. Transmittal Letter. (3 pages)
3. Formal Drawings Figures 1, 2A, 2B, 3, 4A, 4B, 5-10. (12 sheets)
4. Declaration and Power of Attorney. (4 pages)
5. Recordation Form Cover Sheet and Assignment. (5 pages)
6. A check for \$2,210.00 (\$710.00 filing fee, \$1460.00 additional claims fee; and \$40.00 Assignment recordation fee)

Dated November 14, 2001

Docket No.: 07781.0013-01

WJB/C. Hughley - Mail Drop 900



(Due Date: NA)

Ky
11/17/01
11-15-01

200110-9522660



**ATTN: BOX ISSUE FEE
PATENT**

Customer No. 22,852

Attorney Docket No. 07781.0013-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Stefan HACK et al.) Group Art Unit: 2163
)
Serial No.: 09/987,356) Examiner: Unassigned
)
Filed: November 14, 2001)
)
For: VALUE CHAIN OPTIMIZATION)
SYSTEM AND METHOD)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SUBMISSION OF FORMAL DRAWINGS

Subject to the approval of the Examiner, please replace the previously-filed drawings with the 12 sheets of formal drawings filed herewith (Figures 1, 2A, 2B, 3, 4A, 4B, 5-10). If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.**

Dated: January 8, 2002

By: William J. Brogan
William J. Brogan
Reg. No. 43,515

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com